

Appl. No.: 10/706,862  
Page 17

New Atty. Docket No. 329575

**REMARKS****Request to reset response date**

The instant restriction requirement was mailed to an incorrect address on 8/16/06 and was returned to the USPTO as undelivered. Applicants note that a Power of Attorney and Change of Correspondence Address (attached hereto) to customer number 35657 was submitted on 8/10/06 and according to the USPTO PAIR website was of record as of that date. The mailing of the restriction requirement to the incorrect address on 8/16/06 was therefore due to an error by the USPTO and not any omission by Applicants. Applicants therefore respectfully request that the restriction requirement be reissued with a new response date, or alternatively that the fee for a two-month extension of time be waived.

**Status of the Claims**

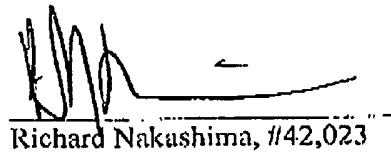
Claims 1-125 were pending. Claims 22, 56 and 90 are canceled herein. Claims 42-55, 57-89 and 91-124 are withdrawn herein as drawn to a non-elected invention. Claims 1-21, 23-55 and 57-119 and 120-124 are amended herein. Claims 1-21, 23-41 and 125 are presently under examination.

**Response to Restriction**

The Action imposed a restriction requirement to the claims of Groups I, II or III. Applicants elect Group I (claims 1-41 and 125).

Applicants submit that if the product claims of Group I are found allowable, then the method claims of Groups II and III that are related to Group I as product and process of use should be rejoined in the application according to MPEP 821.04.

Respectfully Submitted,

  
Richard Nakashima, #42,023

Dated: October 15, 2006

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NUMBER OF PAGES (including this page): 4  
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EMAIL: RNakashimnia@faegre.com  
TIME: 8:30 a.m. (Boulder)  
F&B FILE: 329575 REC: 049  
FAX NO. 571-273-8300

## MESSAGE

ATTACHED FOR APPLICATION No. 10/706,852; FILED 10/706,852; INV. Griffiths

三

- 1. Transmittal (one sheet);**
- 2. Power of Attorney to Prosecute Applications before the USPTO (2 pages)**

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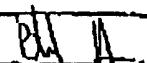
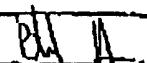
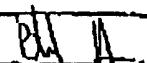
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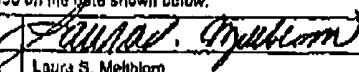
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<b>TRANSMITTAL FORM</b>		Application Number 10/708,852; Confirmation 6078
		Filing Date 11/12/2003
		First Named Inventor Griffiths
		Art Unit 1042
		Examiner Name <i>AUG 10 2006</i>
(to be used for all correspondence other than filings)		Total Number of Pages in This Submission 2
		Attorney Docket Number 328575

ENCLOSURES (check all that apply)																		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC																
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences																
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<p><b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b></p> <table border="1"> <tr> <td>Firm FAEGRE &amp; BENSON LLP</td> <td colspan="3"></td> </tr> <tr> <td>Signature </td> <td colspan="3"></td> </tr> <tr> <td>Printed Name Richard A. Nakashima</td> <td colspan="3"></td> </tr> <tr> <td>Date 8/10/06</td> <td>Reg. No. 42,023</td> <td colspan="2"></td> </tr> </table>			Firm FAEGRE & BENSON LLP				Signature 				Printed Name Richard A. Nakashima				Date 8/10/06	Reg. No. 42,023		
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Type or printed name Laura S. Melthorn	

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I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

 Practitioners associated with Customer Number:

35057

OR

 Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the Undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

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OR

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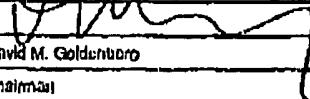
## Assignee Name and Address:

Immunomedics, Inc.  
300 American Road  
Morris Plains, New Jersey 07950

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/88 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	March 1, 2006
Name	David M. Goldenthal	Telephone	(973) 505-8200
Title	Chairman		

This collection of information is required by 37 CFR 1.51 and 1.53. The information is required to obtain or retain a benefit by the public which is in the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including publishing, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. GMAIL TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## STATEMENT UNDER 37 CFR 3.73(h)

Applicant/Patent Owner: Immunometrics, Inc.

Application No./Patent No.: 10/706,852 Filed/Issue Date: 11/12/2003

Entity: Attn:1-Ch74 Immunoconjugates and Methods

Immunometrics, Inc. A corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title, and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_ %

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015528 Frame 0001 or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

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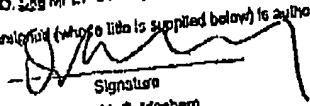
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Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
 (NOTE: A separate copy (e.g., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
 Signature  
 David M. Goldenberg  
 Printed or Typed Name  
 Chairman  
 Title

11/10/06  
 Date  
 (873) 605-8200  
 Telephone Number

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